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Provisional rules of procedure of the Conference

I. Representation and credentials

Composition of delegations
Rule 1

The delegation of each State participating in the Conference shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Alternates and advisers
Rule 2

The head of delegation may designate an alternate representative or an adviser to act as a representative.

Submission of credentials
Rule 3

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

Credentials Committee
Rule 4

A Credentials Committee of nine members shall be appointed at the beginning of the Conference. Its composition shall be based on that of the Credentials Committee of the General Assembly of the United Nations at its most recent session. It shall examine the credentials of representatives and report to the Conference without delay.

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Provisional participation in the Conference
Rule 5

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. Officers

Elections
Rule 6

The Conference shall elect from among the representatives of participating States the following officers: a President, (...) Vice-Presidents and a Rapporteur-General, as well as the Chairs of the Main Committees established in accordance with rule 46. These officers shall be elected with due regard to equitable geographical representation. The Conference may also elect such other officers as it deems necessary for the performance of its functions.

General powers of the President
Rule 7

1. In addition to exercising the powers conferred upon him/her elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, declare the opening and closing of each meeting, put questions to the vote and announce decisions. The President shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his/her functions, remains under the authority of the Conference.

Acting President
Rule 8

1. If the President is absent from a meeting or any part thereof, he/she shall designate one of the Vice-Presidents to take his/her place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Replacement of the President
Rule 9

If the President is unable to perform his functions, a new President shall be elected.

Voting rights of the President
Rule 10

The President, or a Vice-President acting as President, shall not vote in the Conference, but may appoint another member of his/her delegation to vote in his/her place.

III. Bureau/General Committee

Composition
Rule 11

The President, the Vice-Presidents, the Rapporteur-General and the Chairs of the Main Committees shall constitute the Bureau/General Committee. The President, or, in his or her absence, one of the Vice-Presidents designated by him/her, shall serve as Chair of the Bureau/General Committee. The Chair of the Credentials Committee and other committees established by the Conference in accordance with rule 48 may participate, without the right to vote, in the Bureau/General Committee.

Substitute members
Rule 12

If the President or a Vice-President of the Conference is to be absent during a meeting of the Bureau/General Committee, he/she may designate a member of his/her delegation to sit and vote in the Committee. In case of absence, the Chair of a Main Committee shall designate the Vice-Chair of that Committee as his/her substitute. When serving on the Bureau/General Committee, the Vice-Chair of a Main Committee shall not have the right to vote if he/she is of the same delegation as another member of the Bureau/General Committee.

Functions
Rule 13

In addition to performing other functions specified in these rules, the Bureau/General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. Secretariat of the Conference

Duties of the Secretary-General of the Conference
Rule 14

1. There shall be a Secretary-General of the Conference.

2. The Secretary-General of the Conference shall act in that capacity in all meetings of the Conference and its subsidiary organs and shall be responsible for making all the necessary arrangements for carrying out the work of the Conference.

3. The Secretary-General of the Conference may designate a member of the secretariat to act in his/her place at these meetings.

4. The Secretary-General of the Conference shall direct the staff required by the Conference.

Duties of the secretariat
Rule 15

The secretariat of the Conference shall, in accordance with these rules and pertinent directions of the General Assembly:

(a) Interpret speeches made at meetings;

(b) Receive, translate, reproduce and circulate the documents of the Conference;

(c) Publish and circulate the official documents and any reports of the Conference;

(d) Prepare and circulate records of public meetings;

(e) Make and arrange for the keeping of sound recordings and the summary records of meetings;

(f) Arrange for the custody and preservation of the documents of the Conference in the archives of the United Nations; and

(g) Generally perform all other work that the Conference may require;

(h) Report the proceedings of the Conference in appropriate journals.

Statements by the secretariat
Rule 16

The Secretary-General of the United Nations, the Secretary-General of the Conference, or any member of the secretariat designated by either for that purpose, may, at any time, but subject to rule 20, make either oral or written statements concerning any question under consideration.

V. Opening of the Conference

Temporary President
Rule 17

The Secretary-General of the United Nations, the Secretary-General of the Conference or, in his absence, a member of the Secretariat of the United Nations designated by him/her for that purpose, shall open the first meeting of the Conference and preside over it until the Conference has elected its President.

Decisions concerning organization
Rule 18

On the basis of recommendations submitted by the Intergovernmental Preparatory Committee and those emerging from the pre-Conference consultations, the Conference shall, to the extent possible, at its first meeting:

(a) Adopt its rules of procedure;

(b) Elect its officers and constitute its subsidiary organs;

(c) Adopt its agenda, the draft of which shall until such adoption be the provisional agenda of the Conference;

(d) Decide on the organization of its work.

VI. Conduct of business

Quorum
Rule 19

The President may declare a meeting open and permit the debate to proceed when at least one third of the representatives of the States participating in the Conference are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

Speeches
Rule 20

1. No representative may address the Conference without having previously obtained the permission of the President. Subject to rules 21, 22 and 25 to 27, the President shall call upon speakers in the order in which they signify their desire to speak. The secretariat shall be in charge of drawing up a list of speakers.

2. Debate shall be confined to the question before the Conference and the President may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

3. The Conference may limit the time allowed to each speaker and the number of times each participant may speak on any question. Permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, with the consent of the Conference, the President shall limit each intervention on procedural matters to five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him/her to order without delay.

Points of order
Rule 21

During the discussion of any matter, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Precedence
Rule 22

The Chair, Vice-Chairs and Rapporteur of the Main Committees or a representative designated by any other subsidiary organ, such as a subcommittee or

working group, may be accorded precedence for the purpose of explaining the conclusions arrived at by the organ concerned.

Closing of the list of speakers
Rule 23

During the course of a debate, the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure of the debate pursuant to rule 26.

Right of reply
Rule 24

1. Notwithstanding rule 23, the President shall accord the right of reply to a representative of any State participating in the Conference who requests it. Any other representative may be granted the opportunity to make a reply.

2. The statements made under this rule shall normally be made at the end of the last meeting of the day, or at the conclusion of the consideration of the relevant item if that is sooner.

3. The representatives of a State may make no more than two statements under this rule at a given meeting on any item. The first shall be limited to five minutes and the second to three minutes; representatives shall in any event attempt to be as brief as possible.

Adjournment of debate
Rule 25

A representative may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, permission to speak on the motion shall be accorded only to two representatives in favour and to two opposing the adjournment, after which the motion shall, subject to rule 28, be immediately put to the vote.

Closure of debate
Rule 26

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his/her wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 28, be immediately put to the vote.

Suspension or adjournment of the meeting
Rule 27

Subject to rule 38, a representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 28, be immediately put to the vote.

Order of motions
Rule 28

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Submission of proposals and substantive amendments
Rule 29

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, no substantive proposal shall be discussed or put to the vote unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, even though such amendments have not been circulated or have only been circulated the same day.

Withdrawal of proposals and motions
Rule 30

A proposal or a motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decisions on competence
Rule 31

Subject to rule 28, any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal submitted to it shall be decided before the matter is discussed further or a decision is taken on the proposal in question.

Reconsideration of proposals
Rule 32

When a proposal has been adopted or rejected, it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing reconsideration, after which the motion shall be immediately put to the vote.

VII. Decision-making

Rule 33

1. The Conference shall make every effort to ensure that all its substantive decisions are taken by consensus.

2. Notwithstanding any measures that may be taken in compliance with paragraph 1, a proposal or motion before the Conference shall be voted on if a representative so requests.

3. Notwithstanding the procedures set out in paragraphs 1 and 2 above, the Conference shall adopt the final text of the treaty instrument by consensus.

Voting rights
Rule 34

Each State participating in the Conference shall have one vote.

Majority required
Rule 35

1. Unless the Conference decides otherwise, and subject to paragraph 1 of rule 33, decisions on all matters of substance other than adoption of the final text of the treaty instrument shall be taken by a two-thirds majority of the representatives present and voting.

2. Except as otherwise provided in these rules, decisions of the Conference on all matters of procedure shall be taken by a majority of the representatives present and voting.

3. If the question arises as to whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall be put to the vote immediately, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting.

4. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

Meaning of the phrase "representatives present and voting"
Rule 36

For the purpose of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting shall be regarded as not voting.

Method of voting
Rule 37

1. Except as provided in rule 44, the Conference shall normally vote by show of hands, except that a representative may request a roll-call, which shall then be taken in the English alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President. The name of each State shall be called in all roll-calls, and its representative shall reply "yes", "no" or "abstention".

2. When the Conference votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call. A representative may request a recorded vote which shall, unless a representative requests otherwise, be taken without calling out the names of the States participating in the Conference.

3. The vote of each State participating in a roll-call or a recorded vote shall be inserted in any record of or report on the meeting.

Conduct during voting
Rule 38

After the President has announced the commencement of voting, no representative shall interrupt the voting except on a point of order in connection with the process of voting.

Explanation of vote
Rule 39

1. Representatives may make brief statements consisting solely of explanations of vote, before the voting has commenced or after the voting has been completed. The President may limit the time to be allowed for such explanations. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

2. When the same matter is considered successively in several organs of the Conference, the representatives of a State should, as far as possible, explain the votes of their delegation only in one such organ, unless those votes differ.

3. Similarly, explanatory statements of position may be made in connection with a decision taken without a vote.

Division of proposals
Rule 40

A representative may move that parts of a proposal be decided on separately. If a representative objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the Conference for decision as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Amendments
Rule 41

A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

Order of voting on amendments
Rule 42

1. When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter

shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

2. When the Conference decides, in accordance with rule 40, to consider an extensive text in convenient portions (such as paragraphs or articles) each of these shall be treated as a separate proposal for the purpose of paragraph 1.

Order of voting on proposals
Rule 43

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Conference decides otherwise, be voted on in the order in which they were submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.

3. A motion requiring that no decision be taken on a proposal shall be put to the vote before a decision is taken on the proposal in question.

Elections
Rule 44

All elections shall be held by secret ballot unless, in the absence of any objection, the Conference decides to proceed without taking a ballot when there is an agreed candidate or slate of candidates.

Balloting
Rule 45

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes, shall be elected.

2. If the number of candidates so elected is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot in a number not more than twice the places remaining to be filled.

VIII. Subsidiary bodies

Main Committees
Rule 46

The Conference may establish Main Committees, as required, which may set up subcommittees or working groups.

Representation of the Main Committees
Rule 47

Each State participating in the Conference may be represented by one representative on each Main Committee established by the Conference. It may assign to these Committees such alternate representatives and advisers as may be required.

Other committees and working groups
Rule 48

1. In addition to the Committees referred to above, the Conference may establish such committees and working groups as it deems necessary for the performance of its functions.

2. Subject to the decisions of the Conference, each committee may set up subcommittees and working groups.

Rule 49

1. The members of the committees and working groups of the Conference referred to in rule 48, paragraph 1, shall be appointed by the President, subject to the approval of the Conference, unless the Conference decides otherwise.

2. Members of the subcommittees and working groups of committees shall be appointed by the Chair of the committee in question, subject to the approval of that committee, unless the committee decides otherwise.

Officers
Rule 50

Except as otherwise provided in rule 6, each committee, subcommittee and working group shall elect its own officers.

Quorum
Rule 51

1. The Chair of a Main Committee may declare a meeting open and permit the debate to proceed when representatives of at least one quarter of the States participating in the Conference are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

2. A majority of the representatives of the Bureau/General Committee or the Credentials Committee or of any committee, subcommittee or working group shall constitute a quorum, provided that they are representatives of participating States.

Officers, conduct of business and voting
Rule 52

The rules contained in chapters II, VI (except rule 19) and VII above shall be applicable, mutatis mutandis, to the proceedings of committees, subcommittees and working groups, except that:

(a) The Chairs of the Bureau/General Committee and Credentials Committee and the Chairs of the committees, subcommittees and working groups may exercise the right to vote; and

(b) Decisions of committees, subcommittees and working groups shall be taken by a majority of the representatives present and voting, except that the reconsideration of a proposal or an amendment shall require the majority established by rule 32.

IX. Languages and records

Languages of the Conference
Rule 53

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Conference.

Interpretation
Rule 54

1. Speeches made in a language of the Conference shall be interpreted into the other such languages.

2. A representative may speak in a language other than a language of the Conference if the delegation concerned provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the Secretariat may be based on the interpretation given in the first such language.

Languages of official documents
Rule 55

Official documents of the Conference shall be made available in the languages of the Conference.

Sound recordings of meetings
Rule 56

Sound recordings of meetings of the Conference and of any Main Committee shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the Conference or the Main Committee concerned, no such recordings shall be made of the meetings of any working group thereof.

X. Public and private meetings

General principles
Rule 57

1. The plenary meetings of the Conference and the meetings of the Committee of the Whole shall be held in public unless the body concerned decides otherwise. All decisions taken by the plenary of the Conference at a private meeting shall be announced at an early public meeting of the plenary.

2. As a general rule, meetings of other organs of the Conference shall be held in private, unless the Conference decides otherwise.

Communiqués on private meetings
Rule 58

At the close of a private meeting, the presiding officer of the body concerned may issue a communiqué through the Secretary-General of the Conference.

XI. Other participants and observers

Representatives of entities, intergovernmental organizations and other entities that have received a standing invitation from the General Assembly to participate in the capacity of observers in the sessions and work of all international conferences convened under its auspices
Rule 59

Representatives designated by entities, intergovernmental organizations and other entities that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under its auspices have the right to participate as observers, without the right to vote, in the deliberations of the Conference, any Main Committee and, as appropriate, any other committee or working group.

Representatives of the specialized agencies
Rule 60

Representatives designated by the specialized agencies may participate, without the right to vote, in the deliberations of the Conference, any Main Committee and, as appropriate, any other committee or working group on questions within the scope of their activities.

Representatives of other intergovernmental organizations
Rule 61

Representatives designated by other intergovernmental organizations invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference, any Main Committee and, as appropriate, any other committee or working group on questions within the scope of their activities.

Representatives of interested United Nations organs
Rule 62

Representatives designated by interested organs of the United Nations may participate as observers, without the right to vote, in the deliberations of the Conference, any Main Committee and, as appropriate, any other committee or working group on questions within the scope of their activities.

Representatives of non-governmental organizations
Rule 63

With respect to the attendance of non-governmental organizations at the Conference, attendance will be open to:

(a) Relevant non-governmental organizations in consultative status with the Economic and Social Council in accordance with the provisions of Council resolution 1996/31 of 25 July 1996. These non-governmental organizations should inform the President of the Conference about their interest to attend;

(b) Other interested non-governmental organizations relevant and competent to the scope and the purpose of the Conference provided that requests to do so are submitted to the President of the Conference and are accompanied by information on the organization's purpose, programmes and activities in areas relevant to the scope of the Conference. The President of the Conference will subsequently provide the Conference with a list of these non-governmental organizations for consideration on a no-objection basis;

(c) Non-governmental organizations accredited through the process specified above may attend open meetings of the Conference;

(d) Representatives of accredited non-governmental organizations will be allowed to address the Conference during one meeting specifically allocated for this purpose. These meetings will not coincide with other meetings of the Conference;

(e) Accredited non-governmental organizations will be provided, upon request, with documents related to the Conference, and they may, at their own expense, provide material to the delegations, outside the conference room, in the area of the Conference;

(f) Arrangements concerning the accreditation and attendance of non-governmental organizations at the Conference shall in no way create a precedent for other United Nations conferences.

Written statements
Rule 64

Written statements submitted by the designated representatives referred to in rules 59 to 63 shall be distributed by the secretariat to all delegations in the quantities and in the language in which the statements are made available to it at the site of the Conference, provided that a statement submitted on behalf of a non-governmental organization is related to the work of the Conference and is on a subject in which the organization has a special competence. Written statements shall not be made at United Nations expense and shall not be issued as official documents.

XII. Suspension and amendment of the rules of procedure

Method of suspension
Rule 65

Any of these rules may be suspended by the Conference provided that 24 hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.

Method of amendment
Rule 66

These rules of procedure may be amended by a decision of the Conference taken by a two-thirds majority of the representatives present and voting, after the General Committee has reported on the proposed amendment.

Other procedural matters
Rule 67

Any procedural matter not covered by these rules shall be settled in accordance with the rules and practices of the General Assembly.